

Message Text

UNCLASSIFIED

PAGE 01 TOKYO 05998 070137Z

73

ACTION COME-00

INFO OCT-01 EA-10 ISO-00 EB-07 L-02 AGR-10 CIAE-00 INR-07

NSAE-00 /037 W

----- 045070

R 070100Z MAY 75

FM AMEMBASSY TOKYO

TO SECSTATE WASHDC 9941

UNCLAS TOKYO 5998

E.O. 11652: N/A

TAGS: EIND, JA

SUBJECT: TRADEMARK APPLICATION FOR CHATEAU CALIFORNIA

REF: STATE A-2395

1. THE EMBASSY REQUESTED THE JAPANESE PATENT OFFICE REJECT THE TRADEMARK APPLICATION FOR CHATEAU CALIFORNIA. A TRADEMARK EXAMINER IN THE PATENT OFFICE INFORMED THE EMBASSY THAT SINCE THE OPPOSITION PERIOD EXPIRED ON MARCH 16 AND NOT ON APRIL 15 AS STATED IN REFAIR, IT IS LEGALLY IMPOSSIBLE FOR PATENT OFFICE TO TAKE ANY STEPS AGAINST THIS TRADEMARK APPLICATION. THE WINE INSTITUTE MAY, HOWEVER, REQUEST THE PATENT OFFICE, THROUGH A JAPANESE REPRESENTATIVE, TO HOLD A TRIAL HEARING AT ANYTIME WITHIN THE FIVE YEAR PERIOD AFTER REGISTRATION TO INVALIDATE THIS TRADEMARK, UNDER ARTICLE 46 OF THE JAPANESE TRADEMARK LAW. ARTICLE 3, PARA 1, ITEM 3 OF THE PATENT LAW, COULD BE THE BASIS FOR OPPOSING THE TRADEMARK.

2. THE PATENT OFFICE AT PRESENT HAS SUCH A HEAVY BACKLOG THAT IT WOULD BE ABOUT TWO YEARS FTER SUCH A REQUEST IS MADE BEFORE A TRIAL HEARING IS HELD. A TRIAL HEARING CAN TAKE ANYWHERE FROM A FEW WEEKS TO MORE THAN ONE YEAR.

3. THE PATENT OFFICE TRADEMARK EXAMINER ALSO TOLD THE EMBASSY THAT EVEN IF CHATEAU CALIFORNIA IS REGISTERED, THE REGISTRATION WOULD NOT AFFECT U.S. EXPORTS OF
UNCLASSIFIED

UNCLASSIFIED

PAGE 02 TOKYO 05998 070137Z

CALIFORNIA WINES TO JAPAN.

HODGSON

UNCLASSIFIED

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: TRADEMARK APPLICATIONS, WINES
Control Number: n/a
Copy: SINGLE
Draft Date: 07 MAY 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975TOKYO05998
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750159-0454
From: TOKYO
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750571/aaaacnmt.tel
Line Count: 62
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION COME
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: 75 STATE A-2395
Review Action: RELEASED, APPROVED
Review Authority: CunninFX
Review Comment: n/a
Review Content Flags:
Review Date: 17 JUL 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <17 JUL 2003 by SilvaL0>; APPROVED <13 FEB 2004 by CunninFX>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
05 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: TRADEMARK APPLICATION FOR CHATEAU CALIFORNIA
TAGS: EIND, JA, CHAYEAU CALIFORNIA
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006